

CP 56H
GAU 1615

#6
8/28/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
David D. Mundschenk)
Serial No. 09/043,433)
Filed: March 19, 1998)
For: TOPICAL FORMULATIONS)
AND DELIVERY SYSTEMS)



Art Unit 5611
Atty. Docket 15050.4.2

Hon. Commissioner of
Patents and Trademarks
Washington, D.C. 20231

<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this paper is being deposited with the United States Postal service as First Class Mail, postage prepaid, and in an envelope addressed to the Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231, on</p> <p align="center"><u>17 May 1999</u></p> <p align="center"><u>Philip M. Goldman</u></p> <p align="center"><u>17 May 1999</u></p> <p align="center">Date of Signature</p>
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TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING
OF FIRST OFFICE ACTION

SIR:

The Supplemental Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever occurs last. 37 CFR 1.97(b)

Dated: 17 MAY 1999

Respectfully submitted,

Philip M. Goldman
Registration No. 31,162
Fredrikson & Byron, P.A.
1100 International Centre
900 Second Avenue South
Minneapolis, MN 55402-3397
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17 May 1999
Maddy E. Thompson
17 May 1999
Date of Signature

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

SIR:

In accordance with the duty of disclosure, a completed Form PTO-1449 is enclosed.

Consideration of each of the listed references by the Examiner is respectfully requested.

Applicant also respectfully requests that an initialed copy of Form PTO-1449 indicating such consideration be returned with the next Official Action, as set forth in MPEP 609. Attached hereto are copies of the following references, the relevance of each of which will be found on that page or pages of the application where it is cited.

Reference

Page where cited

Richard Russel, A Dissertation on the use of Sea Water in the Diseases of the Glands; Particularly the Scurvy, Jaundice, King's Evil, Leprosy and the Glandular Consumption, Preface (pages i - xii), (1769)

3

Zinner, D.D., et. al.; Controlled Study of the Clinical Effectiveness of A New Oxygen Gel on Plaque. Oral Debris and Gingival inflammation, Pharmacol. Ther. Dent., October 1970, 1:7-15.

3

Also enclosed is a copy of the following reference:

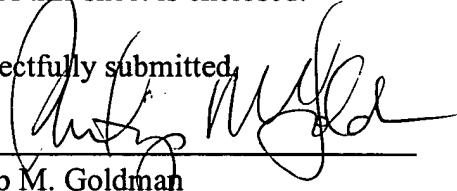
U.S. Patent No. 5,665,332 (Mundschenk et al.)

By submitting these references, applicant does not admit that the references are prior art to or material to this application, and reserves the right to establish that any reference is not prior art. Applicant does not represent that the references have been reviewed in detail; there may be details in the references of which applicant is unaware.

The Commissioner is hereby authorized to charge any additional filing fees required to Deposit Account No. 06-1910. A duplicate copy of this sheet is enclosed.

Dated: 17 MAY 1999

Respectfully submitted,


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